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Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**

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**21 MC 102 (AKH)**

**FERNANDO PINO,**

X

**Plaintiff,  
-against-**

**100 CHURCH, LLC, AMBIENT GROUP, INC.,  
CUNNINGHAM DUCT CLEANING CO., INC.,  
GPS ENVIRONMENTAL CONSULTANTS, INC.,  
INDOOR ENVIRONMENTAL TECHNOLOGY,  
INC., LAW ENGINEERING, P.C., MERRILL  
LYNCH & CO., INC., ROYAL AND SUNALLIANCE  
INSURANCE GROUP, PLC, TRC ENGINEERS, INC.,  
AND ZAR REALTY MANAGEMENT CORP., ET AL.**

**DOCKET NO.:  
08 CV 2245**

**NOTICE OF  
ADOPTION OF  
ANSWER TO MASTER  
COMPLAINT**

**Defendants.**

X

**PLEASE TAKE NOTICE,** that defendant **CUNNINGHAM DUCT WORK s/h/i/a** **CUNNINGHAM DUCT CLEANING CO., INC.** ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

**WHEREFORE**, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York

May 5, 2008

Kevin G. Horbatiuk

Kevin G. Horbatiuk (KGH4977)

Matthew P. Mazzola (MM7427)

Attorneys for Defendant

**CUNNINGHAM DUCT WORK s/h/i/a**

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RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
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(212) 267-3700

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 5<sup>th</sup> day of May, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
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**FERNANDO PINO**  
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*Kevin G Horbatiuk*

**KEVIN G. HORBATIUK**